



Insurance Department

State of Utah

GARY R. HERBERT

Governor

SPENCER J. COX

Lieutenant Governor

TODD E. KISER

Acting Commissioner

State of Utah Title and Escrow Commission Meeting Meeting Information

Date: June 9, 2014

Time: 9:00AM

Place: East Bldg., Copper Room

MEMBERS

(Attendees = x)

COMMISSION MEMBERS

xChair, Kirk Smith, *Weber Cnty*

xMatt Sager, *Maricopa Cnty, AZ*

Co-Chair, Larry Blake, *Washington Cnty*

xSylvia Andersen, *Public Member*

Jeff Wiener, *Salt Lake Cnty*

DEPARTMENT STAFF

xPerri Babalis, *AG Counsel*

Brett Barratt, *Deputy Comm.*

xMark Kleinfeld, *ALJ*

xSuzette Green-Wright, *MC Dir.*

xTammy Greening, *Examiner*

xJilene Whitby, *PIO Recorder*

PUBLIC

Carol Yamamoto

Pete Stevens

Russ Nance

Blake Heiner

MINUTES

General Session: (Open to the Public)

- **Welcome** / Kirk Smith, Chair

Started at 9:02AM. Kirk welcomes everyone and excused Jeff and Larry who were unable to attend.

- **Adopt Minutes of Previous Meeting**

- Kirk noted that "REPCE" should be spelled "REPC" in ninth bullet of the Old Business discussion of "Prohibited Escrow Settlement Closing Transactions." Pete suggested changing "Matrix" to "table" in the second bullet of New Business discussion of "Update on Rulemaking Process for R592-2." Also, "addendum" should be changed to "Utah Association of Realtors Form" in the second bullet of the Old Business discussion of "Prohibited Escrow Settlement Closing Transactions."

- **Motion** by Matt to adopt the minutes with suggested changes; seconded by Sylvia; vote was unanimous.

- **Reports**

- **Concur with Licensee Report** / Tammy

Tammy noted that Hudson Title Agency is a new agency. **Motion** by Matt to concur with licensing report; seconded by Sylvia; vote was unanimous.

- **Concur with Complaint & Enforcement Report** / Suzette

Suzette said page 10 of the Closed Investigation Report included April and May numbers. When asked by #63627 was closed Tammy said because the complainant, an elderly woman, had fallen and broke her hip. She is having problems with her memory. She has closed the file and will re-open if the complainant's memory improves. Number 58766 has been open for 3 ½ years. Tammy said she has combined 58766 with an existing case. **Motion** by Sylvia to concur with report; seconded by Matt; vote was unanimous.

- **Request for Dual Licensee Expedited Request:** None

- **Request for Attorney Exemption:** None

- **Administrative Proceedings Action / Mark Kleinfeld, ALJ**
 - Stipulation & Order:
 - **Joseph A. Corbin**
 - When Mr. Corbin filed for an agency license it was discovered that there were substantial outstanding judgments against him. The code does not allow licensee to have unpaid judgments over 60 days old. Proposed Forfeiture is \$500, which would be stayed if judgments were paid by completion of 24 month probation.
 - Sylvia would like to have known the number of judgments and how old they are.
 - Matt asked if the Department would be monitoring payments or just check on it at the end of the probation. Tammy said they would be monitoring it. The agency he was working for is out of business. Mr. Corbin is not allowed to have any financial or signatory authority or responsibility or signatory in the agency. He is working in escrow now.
 - Matt made a **motion** to concur; seconded by Sylvia; vote was unanimous.
 - **Advanced Title Company**
License lapsed November 30, 2013 and was reinstated December 11, 2013. There were 14 closings conducted and 18 search commitments made during this period. Proposed forfeiture of \$1,500.
 - **Title West**
License lapsed September 30 2013, October 8, 2013 reinstated. They conducted 37 closings and 36 search commitments during this period. Proposed forfeiture of \$1,500. Kirk asked why Advanced and Title failed to renew. Tammy said these were not her cases but it is usually because they forgot.
 - **Motion** by Matt to concur with Advanced and West stipulations; seconded by Sylvia; vote was unanimous.
 - **Request for a Hearing:** None
 - **Order to Show Cause:** None
 - **Informal Adjudicative Proceeding & Order:** None
 - **Notice of Formal Adjudicative Proceeding:** None
 - **Other** (for informational purposes only):
 - **Williams Title Guaranty and Escrow Agency, Ltd, Inc.**
Case is over; dismissed with prejudice. No further action required.
- **New Business**
- **Old Business**
 - **Discuss Proposed Rule R592-16: Prohibited Escrow Settlement Closing Transactions / Jeff** (*to be discussed in July, NOT in June Mtg*)
This topic is to be postponed until next month when Jeff will be able to attend.

➤ **Other Business**

Executive Session (Closed to Public)

General Session: (Open to the Public)

- **Adjourn:** **Motion** by Matt to Adjourn; seconded by Sylvia. 9:31am
- **Next Meeting:** July 14, 2014, Copper Room

2014 Meeting Schedule

(2nd Monday except in October)

Jan 13	Feb 10	Mar 10	Apr 14	May 12	Jun 9
Jul 14	Aug 11	Sept 8	Oct 20	Nov 10	Dec 8